

Senator Moore offered the following amendment to the resolution:

Amend Section 4 of S. J. R. 15 by changing the words "For the Constitutional Convention" and "against the Constitutional Convention" to the words "For the Constitutional Convention to write a new constitution without permitting the people to vote on such new constitution."

"Against the Constitutional Convention to write a new constitution without permitting the people to vote on such new constitution."

Senator Chadick offered the following substitute for the amendment.

Add a new section as follows:

The delegates so elected shall draw up such proposed constitution as it may agree upon and shall submit it to a vote of the people within 60 days after the said convention shall adjourn. The Convention's proposal shall be submitted in such manner as the convention shall direct.

Senator Moore raised a point of order on the substitute on the ground that it is not a proper substitute for the pending amendment, since it relates to a different subject matter.

The President pro tempore sustained the point of order.

Question—Shall the amendment by Senator Moore be adopted?

#### Reports of Standing Committees

Senator Carney, by unanimous consent, submitted the following report:

Austin, Texas,  
March 27, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 234 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Senator Chadick, by unanimous consent, submitted the following reports:

Austin, Texas,  
March 27, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We your Committee on Coun-

ties and County Boundaries, to whom was referred S. B. No. 246, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments attached hereto and be printed.

CHADICK, Chairman.

Austin, Texas,  
March 27, 1945

Hon. John Lee Smith, President of the Senate.

Sir: We your Committee on Counties and County Boundaries to whom was referred S. B. No. 299 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHADICK, Chairman.

#### Adjournment

On motion of Senator Weinert, the Senate, at 3:45 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

#### FORTY-SEVENTH DAY

(Wednesday, March 28, 1945)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalf   | York     |
| Moffett   |          |

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.

**Leaves of Absence Granted**

Senators Kelley and Martin were granted leave of absence for today on account of important business on motion of Senator Jones.

**Reports of Standing Committees**

Senator Lanning submitted the following reports:

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 155, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANNING, Chairman.

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. C. R. No. 23, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANNING, Chairman.

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 297, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANNING, Chairman.

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 268, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that the committee substitute bill do pass and be printed.

LANNING, Chairman.

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 156, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANNING, Chairman.

Senator Carney submitted the following reports:

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 418, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 453, have had the same under consideration and beg to report it back to the Senate with the instruction that it do pass and be printed.

CARNEY, Chairman.

Senator Spears submitted the following report:

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Debts, Claims and Accounts, to whom was referred H. B. No. 192, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SPEARS, Chairman.

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Senator Hazlewood submitted the following report:

Sir: We, your Committee on Public Lands and Land Office, to whom

was referred H. C. R. No. 42, have had same under consideration and we report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred H. B. No. 554, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with Committee Amendment and be printed.

HAZLEWOOD, Chairman.

Senator Chadick submitted the following report:

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 191, have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

CHADICK, Chairman.

Senator Metcalfe submitted the following reports:

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic to whom was referred S. B. No. 152, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

METCALFE, Chairman.

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic to whom was referred S. B. No. 2, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

METCALFE, Chairman.

Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic to whom was referred S. B. No. 290, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

METCALFE, Chairman.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
March 28, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. J. R. No. 2, Proposing to amend Section 51-d of Article III of the Constitution of the State of Texas, by changing said Section 51-d so as to provide that the Legislature shall have the power to provide, under such limitations and restrictions and regulations as may be deemed expedient by the Legislature, for assistance to dependent children, and the payment of same not to exceed Nine (\$9.00) Dollars per month for one child; or if there is more than one dependent child in the same home, not more than six (\$6.00) Dollars per month with respect to the other dependent children under the age of sixteen (16) years, or under the age of eighteen (18) years, if found by the State Agency to be regularly attending school; further providing that the Legislature may impose residential restrictions and such other restrictions as it may deem expedient; and providing that the Legislature shall have the authority to accept from the Federal Government financial aid for assistance to dependent children that the Government of the United States may offer not inconsistent with the restrictions herein provided; further providing that the Legislature may have the power to match any amounts the Government of the United States may offer for assistance to dependent children in this State, if a higher amount is provided and offered in the future; providing for an election on the question of adoption or rejection of such amendment by the qualified electors;

making an appropriation therefor; prescribing the form of the ballot; setting the date of the election and providing for the proclamation thereof by the Governor of the State.

H. C. R. No. 47, Requesting the Governor to designate the week beginning February 19, 1946, as "Texas Centennial Statehood Week."

H. C. R. No. 49, Suspending the Joint Rules for the purpose of considering House Bill No. 309.

H. J. R. No. 21, Proposing an amendment to Article III of the Constitution of the State of Texas, by adopting a new section to be known as Section 51-e, which shall provide that the Legislature shall have the power to provide, under such limitations and restrictions and regulations as may be deemed by the Legislature expedient, for assistance to physically handicapped individuals, who are under 65 years of age, and who are not eligible for Old Age Assistance or Aid to the Needy Blind, and who are not feasible for vocational rehabilitation, and who are not inmates of a State supported institution, and for the payment of such assistance in an amount not to exceed Twenty Dollars (\$20) per month out of State funds; and providing that the Legislature shall have the authority to accept from the Government of the United States financial aid for such physically handicapped people; and providing for the necessary proclamation and making an appropriation to defray the expenses of the proclamation, and publication and election.

Respectfully submitted,  
CLARENCE JONES,  
Chief Clerk House of Representatives.

#### House Concurrent Resolution 49

On motion of Senator Metcalfe, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 49 suspending the Joint Rules for the purpose of allowing consideration in the House today of House Bill No. 309.

The resolution was read and was adopted by the following vote:

Yeas—29

|       |         |
|-------|---------|
| Aikin | Bullock |
| Brown | Carney  |

|           |          |
|-----------|----------|
| Chadick   | Parrish  |
| Crawford  | Ramsey   |
| Graves    | Shivers  |
| Hazlewood | Spears   |
| Jones     | Stanford |
| Knight    | Stone    |
| Lane      | Sulak    |
| Lanning   | Taylor   |
| Mauritz   | Vick     |
| Metcalfe  | Weinert  |
| Moffett   | Winfield |
| Moore     | York     |
| Morris    |          |

Absent—Excused

|        |        |
|--------|--------|
| Kelley | Martin |
|--------|--------|

#### Senate Bill 302 on First Reading

Senator York moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |
| Moffett   |          |

Absent—Excused

|        |        |
|--------|--------|
| Kelley | Martin |
|--------|--------|

The following bill then was introduced, read first time and referred to the Committee on Public Health:

By Senator York:

S. B. No. 302, A bill to be entitled "An Act to amend Section 2, House Bill No. 903, Acts of the Regular Session of the Forty-sixth Legislature so as to make it possible for dishes, receptacles or utensils to be sterilized with a chlorine solution; and declaring an emergency."

#### Senate Bill 303 on First Reading

Senator Brown moved that the rules adopted pursuant to Section 5 of Ar-

ticle III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalf   | York     |
| Moffett   |          |

Absent—Excused

Kelley Martin

The following bill then was introduced, read first time and referred to the Committee on Civil Jurisprudence:

By Senator Brown:

S. B. No. 303, A bill to be entitled "An Act to amend Section 1 of House Bill 110, Chapter 453, Acts of 1935, Forty-fourth Legislature, Second Called Session, (listed in Vernon's Annotated Civil Statutes of Texas as Article 1015c, Section 1 thereof), so as to include picture theaters and picture shows in certain projects which all cities and towns, including Home Rule cities, are authorized and empowered to build and purchase, to mortgage and encumber; and declaring an emergency."

#### Senate Bill 304 on First Reading

Senator Stone moved that the rules adopted pursuant to Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

|          |           |
|----------|-----------|
| Aikin    | Hazlewood |
| Brown    | Jones     |
| Bullock  | Knight    |
| Carney   | Lane      |
| Chadick  | Lanning   |
| Crawford | Mauritz   |
| Graves   | Metcalf   |

|          |          |
|----------|----------|
| Moffett  | Stone    |
| Moore    | Sulak    |
| Morris   | Taylor   |
| Parrish  | Vick     |
| Ramsey   | Weinert  |
| Shivers  | Winfield |
| Spears   | York     |
| Stanford |          |

Absent—Excused

Kelley Martin

The following bill then was introduced, read first time and referred to the Committee on Criminal Jurisprudence:

By Senator Stone:

S. B. No. 304, A bill to be entitled "An Act to amend Articles 968, 970, 971 and 1053, Revised Code of Criminal Procedure, 1925, providing for inquests and procedures and fees in connection therewith; and declaring an emergency."

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after giving due notice thereof, the following bills and resolutions:

H. B. No. 89, A bill to be entitled "An Act to amend Subsection (4), Section 2, Article XX of House Bill No. 8, Chapter 184, Acts of the 47th Legislature, Regular Session, and all subsequent amendments thereto, providing for the allocation of funds from the Clearance Fund to the Old Age Assistance Fund, providing for the appropriation of such funds, and declaring an emergency."

H. B. No. 53, A bill to be entitled "An Act authorizing and instructing the State Board of Control to sell two tracts of land situated in Wichita County, Texas, aggregating 43.12 acres more or less; providing that abstracts or title insurance may be secured; providing that the Chairman of the State Board of Control may execute a deed of conveyance; providing for disposition of funds; and declaring an emergency."

H. B. No. 40, A bill to be entitled "An Act to amend Section 5 of House Bill No. 18, Chapter 400, Acts of the Forty-fourth Legislature, First Called Session, 1935, as amended by Section 1 of Article XIX of House Bill No. 8, Chapter 184, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended by Section

1 of House Bill No. 10, Chapter 205, Acts of the Forty-eighth Legislature, Regular Session, 1943, by providing an exemption of any place or places where or from which ice is sold, provided as much as seventy-five per cent of the gross proceeds of the business done each preceding calendar year at or from such place or places is derived from the sale of ice; providing a saving clause; providing that all laws or parts of laws in conflict herewith are hereby repeal; and declaring an emergency."

H. B. No. 356, A bill to be entitled "An Act making an appropriation of the sum of Seventeen Thousand Seven Hundred Nineteen Dollars and Ten Cents (\$17,719.10), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the balance due on the cost of publication of House Joint Resolution No. 8 and House Join Resolution No. 18 passed by the Regular Session of the Forty-eighth Legislature, and declaring an emergency."

H. B. No. 381, A bill to be entitled "An Act regulating the taking and transproation of minnows of Jack, Young, Stephens and Palo Pinto Counties; providing a penalty for any violation of this Act; repealing conflicting laws; and declaring an emergency."

H. B. No. 398, A bill to be entitled "An Act making an emergency appropriation out of the State Highway Fund for the operation of the Texas Highway Patrol Division of the Department of Public Safety; and declaring an emergency."

H. C. R. No. 45, Authorizing the Enrolling Clerk to make certain corrections to House Bill 240.

H. C. R. No. 19, Providing for the adoption of a rule by the State Public Welfare Department as to the amount of money a recipient of old age assistance may possess.

H. C. R. 31, Relative to good neighbor policy.

H. B. No. 240, A bill to be entitled "An Act amending House Bill No. 958 enacted by the Thirty-ninth Legislature of the State of Texas, so as to provide for a budget system in counties of two hundred twenty-five

thousand (225,000) or more, as shown by the last preceding or any future federal census, and the procedure thereunder and the enforcement thereof, and for reports with respect to said budget, and finances of the counties; and providing for the contents of said reports and their publication; and repealing all laws in conflict herewith; and declaring an emergency."

H. C. R. No. 48, Requesting return of House Bill No. 241 from the Governor's Office.

### House Joint Resolutions on First Reading

The following joint resolutions, received from the House today, were laid before the Senate, read first time, and referred to the committee indicated:

H. J. R. No. 21, to Committee on Constitutional Amendments.

H. J. R. No. 2, to Committee on Constitutional Amendments.

### House Concurrent Resolution Referred

House Concurrent Resolution No. 47 received from the House today, was laid before the Senate, read first time, and referred to the Committee on State Affairs.

### Message from the Governor

The following message from the Governor was laid before the Senate, read, and referred to the Committee on Nominations of the Governor:

Austin, Texas,  
March 28, 1945.

To the Senate of the Forty-ninth Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be Public Weighers in and for Galveston County for two year terms to expire April 5, 1947:

M. R. Howell of Galveston, Galveston County.

E. H. Thornton of Galveston, Galveston County.

A. J. Biron of Galveston, Galveston County.

L. S. Dennis of Galveston, Galveston County.

J. J. Tarpey of Texas City, Galveston County.

J. C. Murphy of Galveston, Galveston County.

V. A. Smith of Galveston, Galveston County.

E. W. Smith of Galveston, Galveston County.

E. G. Lewis of Galveston, Galveston County.

T. J. Gallagher of Galveston, Galveston County.

M. C. Hoecker of Galveston, Galveston County.

Ben Levy of Galveston, Galveston County.

W. J. Peterson of Texas City, Galveston County.

S. T. Walker of Galveston, Galveston County.

Respectfully submitted,  
COKE R. STEVENSON,  
Governor of Texas.

#### House Bill 124 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 124, A bill to be entitled "An Act amending Article 1538h, Chapter 19A, Title 32, Revised Civil Statutes, 1925, to allow a corporation to change its shares of stock without nominal par value of any class or classes thereof, into the same number or into a larger or smaller number of shares with par or face value; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 124 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 124 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Mauritz  |
| Brown     | Metcalf  |
| Bullock   | Moffett  |
| Carney    | Moore    |
| Chadick   | Morris   |
| Crawford  | Parrish  |
| Graves    | Ramsey   |
| Hazlewood | Shivers  |
| Jones     | Spears   |
| Knight    | Stanford |
| Lane      | Stone    |
| Lanning   | Sulak    |

|         |          |
|---------|----------|
| Taylor  | Winfield |
| Vick    | York     |
| Weinert |          |

Absent—Excused

|        |        |
|--------|--------|
| Kelley | Martin |
|--------|--------|

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

|           |          |
|-----------|----------|
| Brown     | Parrish  |
| Bullock   | Ramsey   |
| Carney    | Shivers  |
| Chadick   | Spears   |
| Crawford  | Stanford |
| Graves    | Stone    |
| Hazlewood | Taylor   |
| Jones     | Vick     |
| Knight    | Weinert  |
| Lanning   | Winfield |
| Mauritz   | York     |
| Morris    |          |

Nays—6

|         |         |
|---------|---------|
| Aikin   | Moffett |
| Lane    | Moore   |
| Metcalf | Sulak   |

Absent—Excused

|        |        |
|--------|--------|
| Kelley | Martin |
|--------|--------|

#### House Bill 440 on Passage to Third Reading

The President laid before the Senate, as postponed business, on its passage to third reading (the bill having been read second time on March 22, 1945):

H. B. No. 440, A bill to be entitled "An Act to validate the organization and creation of independent school districts established and created by consolidation therewith of one or more county line school districts and by consolidation therewith of elementary school districts and to validate the enlargement of independent school districts by the annexation thereto of one or more common school districts and to validate the abolition of former elementary school districts made an integral part of independent school districts by annexation or by act of the board of trustees of said independent school district in closing the school in such former elementary school district and consolidation by the County Board of School Trustees of such former elementary school dis-

strict with the independent school district, and to validate the abolition of elementary school districts within a rural high school district and the consolidation thereof to another elementary school district within such rural high school district by the County Board of School Trustees after the closing of the school in such abolished elementary school district by the board of trustees of such rural high school district, and to validate all acts of the several officers in effecting such consolidations, enlargements by annexation and abolition of former elementary school districts made a part of independent school district and abolition of elementary school districts; providing that this Act shall repeal all laws or parts of laws in conflict herewith; and providing that this Act shall not apply in any instance where the consolidation, annexation or abolition is in litigation in any of the courts of this State; and declaring an emergency."

Senator Mauritz offered the following amendment to the bill:

Amend H. B. No. 440 by striking out in line one of Section 1 the following words: "or attempts at consolidation."

The amendment was adopted.

H. B. No. 440 was then passed to third reading.

#### House Bill 440 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 440 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lanning   | Vick     |
| Mauritz   | Weinert  |
| Metcalfe  | Winfield |
| Lane      | York     |
| Moffett   |          |

#### Absent—Excused

Kelley

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Votes

Senators Metcalfe, Sulak and Spears, asked to be recorded as voting "nay" on the final passage of the bill.

#### House Bill 211 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 211, A bill to be entitled "An Act to amend House Bill 683, Chapter 11, Acts of the 46th Legislature defining a 'Nonresident Commercial Fisherman; defining a Nonresident Commercial Fishing Boat'; and providing for a Nonresident Commercial Fishing License and the fee for same; providing for a Nonresident Commercial Fishing Boat."

The bill was read second time and was passed to third reading.

#### House Bill 211 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 211 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |
| Moffett   |          |

#### Absent—Excused

Kelley

Martin



The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |
| Moffett   |          |

Absent—Excused

Kelley Martin

#### House Joint Resolution 11 on Third Reading

The President laid before the Senate on its third reading and final passage:

H. J. R. No. 11, Proposing an amendment to the Constitution of the State of Texas so as to provide for continuous salary per diem of all members of the Legislature during their tenure of office.

Senator Taylor offered the following amendment to the resolution:

Amend H. J. R. No. 11 by adding a new section to be numbered 1-a reading as follows:

"Sec. 1-a. The provisions of this amendment shall become effective on the convening of the Fiftieth Legislature."

Senator York raised a point of order on consideration of the amendment on the ground that on March 22, 1925, an identical amendment to the resolution was defeated.

The President overruled the point of order.

On motion of Senator York, the amendment was tabled.

H. J. R. No. 11, then was passed by the following vote:

Yeas—23

Brown Bullock

Carney  
Chadick  
Crawford  
Graves  
Hazlewood  
Jones  
Knight  
Lane  
Lanning  
Mauritz  
Metcalfe

Morris  
Parrish  
Ramsey  
Shivers  
Spears  
Stanford  
Stone  
Sulak ✓  
Vick  
York

Nays—6

|         |          |
|---------|----------|
| Aikin   | Taylor   |
| Moffett | Weinert  |
| Moore   | Winfield |

Absent—Excused

Kelley Martin

#### House Bill 342 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 342, A bill to be entitled "An Act providing an open season for hunting wild buck deer, wild turkey gobblers and collared peccary or javelina in Precincts 1 and 2 in Kenedy County; providing a bag limit for said precincts in said county; providing a penalty for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 342 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 342 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |
| Moffett   |          |

## Absent—Excused

Kelley Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |
| Moffett   |          |

## Absent—Excused

Kelley Martin

## House Bill 260 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 260, A bill to be entitled "An Act to amend Section 1 of House Bill 191, Acts of the Regular Session, Thirty-third Legislature of the State of Texas, being the Regular Session of the Legislature held at Austin in 1913, so as to clearly fix and define the location of that portion of the East line of Jim Hogg County, which is a common boundary to both Jim Hogg and Brooks Counties; providing that all laws and parts of laws in conflict herewith are hereby expressly repealed, and declaring an emergency."

The bill was read second time and was passed to third reading.

## House Bill 260 on Third Reading

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 260 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |
| Moffett   |          |

## Absent—Excused

Kelley Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |
| Moffett   |          |

## Absent—Excused

Kelley Martin

## House Bill 333 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 333, A bill to be entitled "An Act creating a Special Road Law for Orange County, Texas, providing that said county may refund the indebtedness outstanding against its Road and Bridge Fund as of March 1, 1945, as an amount not to exceed \$80,000.00, by the issuance of refunding bonds; providing that items of indebtedness as of said date in the form of bonds, script, or time warrants, may be included in such

refunding bond issue; setting forth the method of issuing such refunding bonds; validating all acts of the Commissioners' Court and of the County officials of said County in issuing said bonds, script and warrants; validating said bonds, script and warrants; authorizing the issuance of not to exceed \$50,000.00 Road and Bridge bonds of said County; prescribing the method of issuing said bonds and placing limitations on the total amount of bonds issued under this Act; providing that the General Laws pertaining to roads and bridges shall be applicable to said County when not in conflict with the provisions hereof; repealing all laws and parts of laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 333 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 333 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalf   | York     |
| Moffett   |          |

#### Absent—Excused

|        |        |
|--------|--------|
| Kelley | Martin |
|--------|--------|

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalf   | York     |
| Moffett   |          |

#### Absent—Excused

|        |        |
|--------|--------|
| Kelley | Martin |
|--------|--------|

#### House Bill 516 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 516, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts, whether organized under general or special law, and which, according to the Scholastic Census for the preceding year, had a scholastic population of more than fifteen hundred (1500) and less than three thousand (3000) approved scholastics, and the boundaries of which are co-extensive with the boundaries of the incorporated cities or towns in which such independent school districts are located; repealing all laws in conflict herewith, both general and special; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 516 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 516 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

|         |           |
|---------|-----------|
| Aikin   | Crawford  |
| Brown   | Graves    |
| Bullock | Hazlewood |
| Carney  | Jones     |
| Chadick | Knight    |

|          |          |
|----------|----------|
| Lane     | Spears   |
| Lanning  | Stanford |
| Mauritz  | Stone    |
| Metcalfe | Sulak    |
| Moffett  | Taylor   |
| Moore    | Vick     |
| Morris   | Weinert  |
| Parrish  | Winfield |
| Ramsey   | York     |
| Shivers  |          |

Absent—Excused

Kelley                      Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |
| Moffett   |          |

Absent—Excused

Kelley                      Martin

**House Bill 234 on Second Reading**

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 234, A bill to be entitled "An Act to amend House Bill No. 678 of the Forty-eighth Legislature same being Chapter 190 of the General and Special Laws of the Forty-eighth Legislature, so as to include Marion County as coming within the open season for hunting wild buck deer as same is provided for therein; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 234 on Third Reading**

Senator Carney moved that the constitutional rule requiring bills to

be read on three several days be suspended and that H. B. No. 234 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |
| Moffett   |          |

Absent—Excused

Kelley                      Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |
| Moffett   |          |

Absent—Excused

Kelley                      Martin

**House Concurrent Resolution 25**

The President laid before the Senate for consideration at this time the following resolution:

Whereas, The benefits of the Social Security Act and particularly of the Unemployment Compensation Act have been extended by the Congress to cover a major portion of the people

of the country who are employed in industry, business and other private pursuits, but not to that large body of our people who are employed by the several States and their counties, municipalities and other political subdivisions; and

Whereas, Such State employees are performing work and labor equally essential and deserving of consideration and recognition to that of all others now protected by law; and

Whereas, The adherence to such a policy by the Congress is an unfair discrimination against those in essential public service and ultimately will so detract State, county, and municipal employment that worthy and efficient people will seek other employment, all to the great impairment of the civil services and the welfare of the people; therefore, be it

Resolved by the House of Representatives, the Senate concurring, that the Congress of the United States be memorialized to amend the Social Security Act so as to extend its benefits to State, county and city employees; and, be it further

Resolved, That the Chief Clerk forward a copy hereof to the Vice President of the United States as President of the Senate, to the Speaker of the House of Representatives, and to each of the Texas Representatives in the Senate and House of the Congress with the request that it shall be presented to each Body for consideration and appropriate action.

The resolution was read second time and was adopted.

#### House Concurrent Resolution 18

The President laid before the Senate for consideration at this time:

H. C. R. No. 18, Granting permission to Ed Davis and wife to bring suit against the State of Texas and against the Highway Department of the State of Texas.

The resolution was read second time and was adopted.

#### House Concurrent Resolution 38

The President laid before the Senate for consideration at this time:

H. C. R. No. 38. Requesting the Honorable Frank C. Walker, Postmaster General of the United States,

to have issued a postage stamp in commemoration of the centennial of the voluntary surrender of sovereignty of the Republic of Texas and its annexation into the American Union.

The resolution was read second time and was adopted.

#### Senate Bill 46 on Second Reading

On motion of Senator Spears and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to engrossment:

S. B. No. 46, A bill to be entitled "An Act authorizing the State Board of Control to acquire and/or construct and/or recondition and equip a State Training School for dependent and delinquent colored girls at a cost of not to exceed \$150,000; appropriating \$150,000 for such purpose, and further appropriating \$40,000 for the maintenance and operation of said institution for the year ending August 31, 1946 and \$50,000 for such maintenance and operation for the year ending August 31, 1947; authorizing the State Board of Control to fix salaries of the superintendent and employees thereof at amounts not exceeding those paid for comparable positions in similar State institutions; and declaring an emergency."

The President laid the bill before the Senate on its second reading.

The bill was read second time.

Senator Spears offered the following amendment to the bill:

Amend Senate bill No. 46, Page 1 lines 33 and 34 Section 2 by striking out the words and figures "Forty thousand dollars and Fifty thousand dollars" and substitute in lieu therefor the words and figures "Thirty thousand (\$30,000) dollars."

The amendment was adopted.

S. B. No. 46 was then passed to engrossment.

#### Senate Bill 46 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 46 be

placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—29**

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |
| Moffett   |          |

**Absent—Excused**

Kelley                      Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—27**

|           |          |
|-----------|----------|
| Aikin     | Morris   |
| Brown     | Parrish  |
| Bullock   | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lanning   | Vick     |
| Mauritz   | Weinert  |
| Metcalfe  | Winfield |
| Moffett   | York     |
| Moore     |          |

**Nays—2**

Carney                      Lane

**Absent—Excused**

Kelley                      Martin

**Senate Resolution 51**

(Relating to the Use of Penicillin)

Senator Moore, by unanimous consent, offered the following resolution:

Be it resolved by the Senate of the State of Texas:

Whereas, The laws of Texas provide that prophylactics must be used in the eyes of the newborn to protect them against infection from certain venereal diseases, but only such prophylactics as are approved by the State Board of Health; and

Whereas, From time to time science has discovered or produced new medicines of various kinds which are of untold benefit to the human race; and

Whereas, Comparatively recently penicillin has become available for public use; and

Whereas, The State Board of Health has so far failed to include penicillin in the list of approved prophylactics; and

Whereas, If penicillin is more effective than the prophylactics now used, it should be approved by the State Board of Health and doctors authorized to use same; Now, therefore,

Be it resolved by the Senate of Texas that we request and urge the State Board of Health to investigate at once and give serious consideration to the question of putting penicillin on the approved list for prophylactics for the eyes of the newborn.

The resolution was read and was adopted.

**Senate Bill 182 on Second Reading**

Senator Moffet moved that the regular order of business be suspended to take up on its second reading and passage to engrossment:

S. B. No. 182, A bill to be entitled "An Act amending Articles 2688 of the Revised Civil Statutes of Texas, as amended by Acts of the 42nd Legislature, page 849, Chapter 357, as amended by the Acts of the 42nd Legislature, Third Called Session, page 47, Chapter 21, Section 1, so as to provide that in all counties now or hereafter having the office of County Superintendent where the scholastic population, according to the last preceding scholastic census, is less than three thousand (3,000) but more than two thousand (2,000) that the office shall continue until a majority of the voters at an election, shall vote to abolish such office; and providing for petitions and for ordering such elections; etc. and declaring an emergency."

The motion prevailed by the following vote:

## Yeas—22

|           |          |
|-----------|----------|
| Aikin     | Mauritz  |
| Brown     | Moffett  |
| Bullock   | Moore    |
| Carney    | Parrish  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Taylor   |
| Knight    | Vick     |
| Lane      | Weinert  |
| Lanning   | York     |

## Nays—7

|         |          |
|---------|----------|
| Chadick | Shivers  |
| Metcalf | Sulak    |
| Morris  | Winfield |
| Ramsey  |          |

## Absent—Excused

|        |        |
|--------|--------|
| Kelley | Martin |
|--------|--------|

(Senator York in the Chair)

The Presiding Officer laid the bill before the Senate on its second reading.

The bill was read second time and was passed to engrossment.

## Senate Bill 182 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 182 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalf   | York     |
| Moffett   |          |

## Absent—Excused

|        |        |
|--------|--------|
| Kelley | Martin |
|--------|--------|

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalf   | York     |
| Moffett   |          |

## Absent—Excused

|        |        |
|--------|--------|
| Kelley | Martin |
|--------|--------|

## Committee Substitute Senate Bill 19 on Second Reading

On motion of Senator Vick, and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to engrossment:

C. S. S. B. No. 19, A bill to be entitled An Act amending Article 1302, Chapter 1, of Title 32 of the Revised Civil Statutes of the State of Texas, 1925, by adding thereto a new subdivision, to be known as subdivision 3a, providing for the formation of private corporations for one or more of the following purposes, namely, Religious, Charitable, Literary, Scientific or Educational; and declaring an emergency.

The Presiding Officer laid the bill before the Senate on its second reading.

The bill was read second time and was passed to engrossment.

## Committee Substitute Senate Bill 19 on Third Reading

Senator Vick moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 19 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—29

|         |          |
|---------|----------|
| Aikin   | Carney   |
| Brown   | Chadick  |
| Bullock | Crawford |

|           |          |
|-----------|----------|
| Graves    | Ramsey   |
| Hazlewood | Shivers  |
| Jones     | Spears   |
| Knight    | Stanford |
| Lane      | Stone    |
| Lanning   | Sulak    |
| Mauritz   | Taylor   |
| Metcalfe  | Vick     |
| Moffett   | Weinert  |
| Moore     | Winfield |
| Morris    | York     |
| Parrish   |          |

**Absent—Excused**

|        |        |
|--------|--------|
| Kelley | Martin |
|--------|--------|

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Motion to Reconsider Vote on Senate Joint Resolution 9**

Senator Jones moved to reconsider the vote by which S. J. R. No. 9 failed to pass on yesterday and asked to have the motion to reconsider spread on the Journal.

**House Bill 440 on Final Passage**

Senator Mauritz moved to reconsider the vote by which H. B. 440 was passed on today.

The motion prevailed.

The Presiding Officer laid the bill before the Senate on its final passage.

The bill was passed by the following vote:

**Yeas—29**

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalfe  | York     |
| Moffett   |          |

**Absent—Excused**

|        |        |
|--------|--------|
| Kelley | Martin |
|--------|--------|

**Senate Bill 280 on Second Reading**

On motion of Senator Graves and by unanimous consent, the regular

order of business was suspended to take up on its second reading and passage to engrossment:

S. B. No. 280, A bill to be entitled "An Act authorizing the legislative body of any city having a population of more than 250,000 according to the last preceding Federal census, and which has adopted a comprehensive zoning ordinance under the law of this State to divide the city into neighborhood zoning areas after public hearing thereon, and authorizing the mayor of such city, with the approval of the legislative body of the city, to thereupon appoint for each of said areas a neighborhood advisory zoning council, consisting of five citizens residing in the area, who shall hold office for two years or until their successors are appointed and qualify, and providing that it shall be the duty of such council to furnish to the zoning commission of the city information, advice and recommendation with respect to all applications for changes in the zoning regulations affecting said area, and providing that as soon as such an application is filed with the zoning commission the latter shall furnish the council for the area to be affected by such application with copy thereof, and that thereupon it shall be the duty of said council to hold public hearings in relation thereto, giving at least ten days notice of the time and place of such hearing by publication in an official paper or a paper of general circulation in such municipality, and providing that at or before the hearing on such application before the zoning commission it shall be the duty of the council to furnish and submit to the zoning commission such information, advice and recommendations as it deems proper with respect to such application, and providing that the overruling of any recommendation of the council by the zoning commission with respect to any change in such zoning regulations shall require the vote of at least three-fourths of the members of the zoning commission present; repealing conflicting statutes; containing a savings clause; and declaring an emergency."

The Presiding Officer laid the bill before the Senate on its second reading.

The bill was read second time.



Senator Graves offered the following committee amendment to the bill:

Amend S. B. 280 by changing in Section One, line Two to read "290,000" instead of "250,000."

The amendment was adopted.

On motion of Senator Graves and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

S. B. No. 280 was then passed to engrossment.

#### Senate Bill 280 on Third Reading

Senator Graves moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 280 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

|           |          |
|-----------|----------|
| Aikin     | Moore    |
| Brown     | Morris   |
| Bullock   | Parrish  |
| Carney    | Ramsey   |
| Chadick   | Shivers  |
| Crawford  | Spears   |
| Graves    | Stanford |
| Hazlewood | Stone    |
| Jones     | Sulak    |
| Knight    | Taylor   |
| Lane      | Vick     |
| Lanning   | Weinert  |
| Mauritz   | Winfield |
| Metcalf   | York     |
| Moffett   |          |

#### Absent—Excused

Kelley                      Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—29

|           |         |
|-----------|---------|
| Aikin     | Lane    |
| Brown     | Lanning |
| Bullock   | Mauritz |
| Carney    | Metcalf |
| Chadick   | Moffett |
| Crawford  | Moore   |
| Graves    | Morris  |
| Hazlewood | Parrish |
| Jones     | Ramsey  |
| Knight    | Shivers |

|          |          |
|----------|----------|
| Spears   | Vick     |
| Stanford | Weinert  |
| Stone    | Winfield |
| Sulak    | York     |
| Taylor   |          |

#### Absent—Excused

Kelley                      Martin

#### Senate Concurrent Resolution 21

On motion of Senator Shivers, and by unanimous consent, the Presiding Officer laid before the Senate for consideration at this time:

S. C. R. No. 21, Granting permission for Mrs. M. E. Thomason, Mrs. Louise Thomason and Marion Thomason to sue the State on account of the death of John Franklin Thomason.

The resolution was read and was adopted.

#### Adjournment

Senator Lanning moved that the Senate adjourn until 10:30 o'clock a. m., tomorrow.

Senator Aikin moved that the Senate recess to 3 o'clock p. m., today.

Question first recurring on the motion by Senator Lanning, yeas and nays were demanded.

The motion prevailed by the following vote:

#### Yeas—16

|           |          |
|-----------|----------|
| Crawford  | Moffett  |
| Graves    | Moore    |
| Hazlewood | Parrish  |
| Jones     | Shivers  |
| Knight    | Spears   |
| Lane      | Stone    |
| Lanning   | Winfield |
| Metcalf   | York     |

#### Nays—9

|         |          |
|---------|----------|
| Aikin   | Stanford |
| Brown   | Sulak    |
| Bullock | Taylor   |
| Chadick | Vick     |
| Morris  |          |

#### Absent

|         |         |
|---------|---------|
| Carney  | Ramsey  |
| Mauritz | Weinert |

#### Absent—Excused

Kelley                      Martin

The Senate, accordingly, at 12:23 o'clock p. m., adjourned until 10:30 o'clock a. m., tomorrow.